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**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA**

11 ANTHONY L. ALLEN, JR.,
12 Petitioner,
13 v.
14 THE PEOPLE OF THE STATE OF
15 CALIFORNIA,
Respondent.
No. 2:22-CV-0011-DMC-P
ORDER

18 Petitioner, a state prisoner proceeding pro se, brings this petition for a writ of
19 habeas corpus under 28 U.S.C. § 2254. Pending before the Court is Petitioner's petition, ECF
20 No. 1. "A petitioner for habeas corpus relief must name the state officer having custody of him or
21 her as the respondent to the petition." Stanley v. California Supreme Court, 21 F.3d 359, 360 (9th
22 Cir. 1994); see also Rule 2(a), Federal Rules Governing Section 2254 Cases. Because Petitioner
23 has not here named the appropriate state officer, Petitioner will be provided leave to amend to
24 correct this technical defect by naming the correct respondent. See Stanley, 21 F.3d at 360.
25 Petitioner is warned that failure to comply with this order may result in the dismissal of this
26 action. See Local Rule 110.

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1 Accordingly, IT IS HEREBY ORDERED that:

2 1. Petitioner's petition for writ of habeas corpus, ECF No. 1, is dismissed

3 with leave to amend;

4 2. Petitioner shall file an amended petition on the form employed by this
5 court, and which names the proper respondent and states all claims and requests for relief, within
6 30 days of the date of this order; and

7 3. The Clerk of the Court is directed to send Petitioner the Court's form
8 habeas corpus application.

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10 Dated: March 23, 2022



11 DENNIS M. COTA
12 UNITED STATES MAGISTRATE JUDGE

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